

PATENT

Docket No. 655-022nc2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Tsushima et al.
Serial No. : 10/806,705 Group Art Unit: TBA
Filed : March 22, 2004 Examiner: Not yet assigned
For : OPTICAL TRANSMISSION APPARATUS AND OPTICAL SYSTEM

INFORMATION DISCLOSURE STATEMENT

Mail Stop DD
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on Form PTO-1449, a copy of which is enclosed, may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

1. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed:

A:

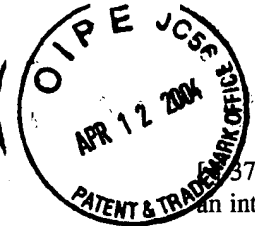
B:

2. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application.

3. ☐ Any copy of the items listed on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in the prior ☐ Continuation, ☐ Divisional or ☐ Continuation-In-Part application under 37 C.F.R. §1.60, U.S. Serial No. _____, filed _____.

4. ☒ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:

☒ 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.



☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application.

☐ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits.

5. ☐ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.

6. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a notice of allowance (where there has been no prior final action):

☐ A check in the amount of \$200.00 is enclosed in payment of the fee.

☐ Charge the fee to Deposit Account No. 19-2825 . Order No. _____. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

7. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:

- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
- b. the attached petition requesting consideration of this Information Disclosure Statement; and
- c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 10 below.

8. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:

- a. ☐ 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue;
- b. ☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue.
- c. The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 10 below.

9. ☐ I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

☐ I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56^o more than three months prior to the filing of this Information Disclosure Statement.



10. ☐ A check in the amount of \$130.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(i)(1).

☐ Charge the fee due under 37 C.F.R. §1.17(i)(1) to Deposit Account No. . Order No.

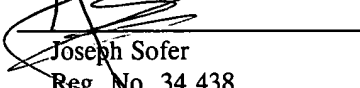
_____ A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 19-2825. Order No. 655-022nc2.

Respectfully submitted,

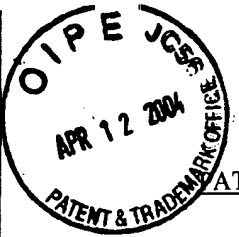
SOFER & HAROUN, L.L.P.

Dated: 4/7/04

By: 
Joseph Sofer
Reg. No. 34,438

Mailing Address:

SOFER & HAROUN, LLP.
317 Madison Avenue, Suite 910
New York, NY 10017
Tel: (212) 697-2800
Fax: (212) 697-3004



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Examiner: Not yet assigned

CERTIFICATE OF MAILING (37 C.F.R. 1.8a)

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

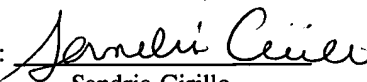
Sir:

I hereby certify that the attached Information Disclosure Statement with form PTO-1449, 17 References, Certificate of Mailing and Return Postcard along with any paper(s) referred to as being attached or enclosed and this Certificate of Mailing are being deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Respectfully submitted,

SOFER & HAROUN, L.L.P.

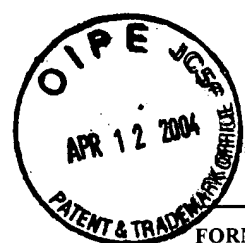
By:


Sandria Cirillo

Date: 4/7/04

Mailing Address:

SOFER & HAROUN, L.L.P.
317 Madison Avenue, Suite 910
New York, New York 10017
Tel:(212) 697-2800
Fax:(212) 697-3004

FORM PTO-1449 U.S. DEPARTMENT OF
COMMERCE
(Rev.2-3) PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
655-022nc2SERIAL NO.
10/806,705INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use several sheets if necessary)

APPLICANT
Tsushima et al.FILING DATE
March 22, 2004GROUP
TBA

U.S. PATENT DOCUMENTS

EXAMINE R INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5 2 8 5 3 0 6	02/08/94	Heidemann	359	160	Nov. 14, 1991
	5 5 0 0 7 5 6	03/19/96	Tsushima et al.	359	174	Feb. 26, 1993
	5 5 2 1 7 3 7	05/28/96	Suyama	359	160	Mar. 8, 1995
	5 5 2 6 1 6 3	06/11/96	Suyama	359	179	Mar. 8, 1995
	5 5 3 5 0 5 0	07/09/96	Suyama	359	341	Mar. 8, 1995
	5 5 4 6 2 1 3	08/13/96	Suyama	359	179	Feb. 1, 1994
	5 9 5 9 7 4 9	09/28/99	Danagher et al.	359	124	May 20, 1997
	5 9 8 6 7 8 3	11/16/99	Sharma et al.	359	119	Feb. 5, 1998
	6 0 6 9 7 1 9	05/30/00	Mizrahi	359	124	Jul. 30, 1997
	6 2 6 6 1 6 9	07/24/01	Tomooka et al.	359	134	Oct. 1, 1999
	5 9 3 3 2 5 8	08/03/99	Flanagan et al.	359	110	Sep. 4, 1996
	5 8 6 7 2 8 9	02/02/99	Gerstel et al.	359	110	Dec. 24, 1996
	5 6 6 3 8 2 0	09/02/97	Shiragaki	359	128	Dec. 28, 1995
	5 4 5 7 5 5 6	10/10/95	Shiragaki	359	117	Apr. 18, 1994
	5 1 3 0 8 3 5	07/14/92	Stegmeier	359	124	Sep. 28, 1990

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	9 2 7 9 7 5	01/28/97	Japan	3	52	Abstract	
	7 7 4 7 4 6	03/17/95	Japan	12	28	Abstract	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.